



**APPLICATION GRANTED  
SO ORDERED** *Vernon S. Broderick*  
**VERNON S. BRODERICK  
U.S.D.J.** 7/25/2023

Defendant's deadline to answer Plaintiff's complaint is extended to two weeks after the resolution of Plaintiff's

**THE CITY OF NEW YORK** anticipated motion to substitute.

**HON. SYLVIA O. HINDS-RADIX**  
*Corporation Counsel*

**LAW DEPARTMENT**

100 CHURCH STREET  
NEW YORK, NY 10007

**THOMAS LAI**

*Senior Counsel*

E-mail: tlai@law.nyc.gov  
Phone: (212) 356-2336  
Fax: (212) 356-3509

July 24, 2023

**VIA ECF**

Honorable Vernon S. Broderick  
District Court Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *John Zippo v. City of New York et al.*, 23-CV-00865 (VSB)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney for defendant City of New York ("City") in the above referenced matter. For the reasons set forth below, and with the consent of plaintiff's counsel Stephanie Panousieris, defendant City respectfully requests a stay of defendant's response to the complaint until two weeks after Plaintiff's motion for substitution is resolved.

As Your Honor likely recalls, on July 21, 2023, the Court extended Plaintiff's time to substitute Plaintiff for the Administrator of his Estate to August 22, 2023. *ECF No. 15*. Given that Plaintiff's motion for substitution has not yet been filed, and it is therefore unclear when it will be resolved, Defendant City is now seeking a stay of its response to the complaint, until two weeks after Plaintiff's motion for substitution is resolved. Moreover, in light of the anticipated motion for substitution that needs to be filed to continue this litigation, there is no prejudice to plaintiff if defendant City files its response to the complaint shortly thereafter and this will forgo the need for the City to continue to request extensions in the event Plaintiff's motion for substitution is not immediately resolved.

Accordingly, defendant City respectfully requests a stay of its response to the complaint until two weeks after Plaintiff's motion for substitution is resolved. Thank you for your consideration of the instant application.

Respectfully submitted,

Thomas Lai s/

Thomas Lai  
Senior Counsel  
Special Federal Litigation Division

To: **VIA ECF**  
Stephanie Panousieris  
*Attorney for Plaintiff*